

JUN-28-04 04:20PM FROM-Merchant & Gould P.C.

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JUN 29 2004

A Professional Corporation

OFFICIAL

June 28, 2004

Examiner Thang H. Ho  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Via Facsimile No. (703) 746-6159

Re: METHOD AND SYSTEM FOR TRANSPORTING DATA  
CONTENT ON A STORAGE AREA NETWORK  
Filing Date: February 7, 2002  
Serial No.: 10/072,126  
Our Ref. No.: MS172076.1/40062.161US01

Dear Examiner Ho:

Faxed herewith is the declaration under 37 C.F.R. §1.132 that we discussed this morning in connection with the above-identified U.S. patent application. Please contact me at your convenience if you have any questions regarding this matter.

Best Regards,

MERCHANT & GOULD P.C.



David Wier (Reg. No. 48,229)

Attachment: Declaration

Minneapolis/St. Paul  
Denver  
Seattle  
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S/N 10/072,126

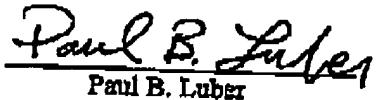
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Brian Thomas Berkowitz et al.	Examiner:	Ho, Thang H.
Serial No.:	10/072,126	Group Art Unit:	2188
Filed:	February 7, 2002	Docket No.:	MS172076.1/40062.161US01
Title:	METHOD AND SYSTEM FOR TRANSPORTING DATA CONTENT ON A STORAGE AREA NETWORK		

DECLARATION UNDER 37 CFR §1.132

I, Paul B. Luber, hereby declare as follows:

1. I am over the age of 18, a resident of Redmond, Washington, and a US citizen.
2. I have been employed by Microsoft Corporation since May of 2000. My current title is Program Manager. Part of my job responsibilities include product development, and it was in performance of those duties and responsibilities that I became personally knowledgeable of the creation and the distribution of the document that is attached hereto as Exhibit A and entitled "Developing Hardware Snapshot Providers for Whistler" (hereinafter, "the document").
3. The document was not publicly distributed or otherwise disclosed in a non-confidential manner prior to February 7, 2002.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 6/28/04  
Paul B. Luber